

REMARKS/ARGUMENTS

Reconsideration of this Application and entry of this Amendment are respectfully requested. Claims 1, 4, 7, 8, 10, 11, 34 – 37, 39 and 40 are pending, with 1, 36 and 39 being the independent claims. Claim 6 has been canceled without disclaimer of or prejudice to the subject matter thereof. Claim 1 is amended. These changes do not introduce any new matter.

Allowable Subject Matter

Claims 36, 37, 39 and 40 are indicated to be allowable. Claims 6, 10, 11, 34 and 35 are objected to as being dependent upon a rejected base claim, but allowable if rewritten in independent form to include all limitations in the base claim and any intervening claims. Applicant has amended independent claim 1 to include the limitation of, now canceled, dependent claim 6.¹ As such, independent claim 1 should now be in condition for allowance, as are claims 4, 7, 8, 10, 11, 34 and 35 that depend respectively therefrom.

With the amendment of claim 1, the Examiner's rejections of claims 1, 4, 7, and 8 as being anticipated by or obvious in view of U.S. Patent No. 6,315,757 to Chee et al. are rendered moot. Thus, all pending claims in the application should now be in condition for allowance.

Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. The Commissioner is hereby authorized to charge any additional fees which may be required under 37 C.F.R. 1.17, or credit any overpayment, to Deposit Account No. 01-2525. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-0221.

Respectfully submitted,

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¹ Applicant has also amended independent claim 1 to remove the clause "wherein said inflation lumen is arcuate shaped and reinforced with a tube having an arcuate shaped cross-section," such that the proximal shaft of independent claim 1 is recited in the same manner as the proximal shaft of allowable independent claims 36 and 39.